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Letter dated 21 June 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from the State of Qatar submitted pursuant to resolution 1624 (2005).

I would be grateful if you could arrange for this letter and its attachment to be circulated as a document of the Security Council.

(*Signed*) Ellen Margrethe **Løj**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 15 June 2006 from the Permanent Representative of Qatar to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

In reference to your letter No. S/AC.40/2006/OC.106 dated 4 April 2006, concerning the implementation of Security Council resolution 1624 (2005), on additional measures to combat terrorism, has the honour to enclose herewith the response of the concerned authority in the State of Qatar in this respect.

(*Signed*) Nassir Abdulaziz **Al-Nasser**
Ambassador
Permanent Representative

The reply of the competent authorities in the State of Qatar to the questions contained in letter No. S/AC.40/2006/OC.106 from the Security Council is as follows:

Paragraph 1

1.1 What measures does Qatar have in place to prohibit by law and to prevent incitement to commit a terrorist act or acts? What further steps, if any, are under consideration?

Counter-terrorism measures in place in the State of Qatar:

I. Legal measures

(i) The Penal Code of the State of Qatar

Article 39 of the Qatari Penal Code No. 11 of 2004 provides as follows:

"A person shall be regarded as an accomplice in the crime if he:

1. Incites another person to commit the act constituting the crime if that act was carried out on the basis of such incitement;

2. Agrees with another person to commit the crime and the crime takes place on the basis of such agreement;

3. Knowingly gives to the author weapons, implements or any other items for use in the commission of the crime or assists him in any other way in activities to prepare for, facilitate or complete commission of the crime."

Article 40 provides for punishment of the accomplice, as follows:

"Anyone who is an accomplice in a crime shall be liable to the penalty for that crime, unless otherwise prescribed by law."

(ii) Measures adopted by the State of Qatar to prohibit by law incitement to terrorism include the enactment of the Counter-Terrorism Act No. 3 of 2004, article 9 of which provides that: "Anyone who incites another person to commit a terrorist act shall be punished with a term of imprisonment of not less than three years and not more than five years."

The above Act also comprises provisions with regard to the following:

- The criminalization of terrorism;
- Acts that may be considered as terrorist crimes;
- Prescribed penalties for the terrorist crimes for which provision is made.

Penalties are prescribed for the following:

- Establishment or membership of terrorist groups or organizations;
- The financing of terrorism;
- The coercion of individuals to join terrorist groups;
- Using to advantage the management of any establishment in advocating terrorism;

- In the case of a Qatari citizen, membership of a terrorist organization or group headquartered outside the country;
- Persons who provide terrorist training and persons who receive such training;
- Persons who incite the commission of a terrorist crime;
- Persons who conceal or destroy items or assets relating to terrorist crimes;
- Persons who assault any officer responsible for enforcing the provisions of this Act;
- Persons who assist the escape of perpetrators of a terrorist crime.

Further steps to which recourse may be had in addition to the prescribed penalties include:

- A ban on residence in a specific location;
- Compulsory residence in a specific location;
- A ban on frequenting specific places or premises;
- An amnesty for informants;
- Application of provisions concerning confiscation;
- Application of provisions concerning the lapse of criminal proceedings;
- Application of provisions concerning the activities of the Office of the Public Prosecutor in regard to:
  - Investigations;
  - Prosecution of cases;
  - Preventive detention;
  - Seizure of correspondence and printed matter;
  - The right to examine information;
  - Prevention of the disposition of assets;
  - Administration and seizure of assets;
- Ensuring compliance with international conventions and treaties.

II. Other measures include:

1. The establishment of a national committee on money-laundering and financing of terrorism;

2. The establishment of a coordinating committee for the implementation of Security Council resolution 1373 (2001) and other Security Council resolutions on counter-terrorism;

3. The issuance of administrative directives by the Central Bank of Qatar on the subject of money-laundering and the financing of terrorism.

4. The establishment of the Qatari Financial Intelligence Unit, which is engaged in efforts to combat money-laundering and the financing of terrorism;

5. The efforts of financial institutions operating in the State of Qatar to combat money-laundering and the financing of terrorism.

1.2 What measures does Qatar take to deny safe haven to any persons with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of incitement to commit a terrorist act or acts?

An entry visa is required for the State of Qatar. Under the administrative procedures, however, the competent authorities are permitted to refuse an entry visa to persons with respect to whom such information is available in that such persons constitute a danger to national security.

Paragraph 2

1.3 How does Qatar cooperate with other States in strengthening the security of its international borders with a view to preventing those guilty of incitement to commit a terrorist act or acts from entering their territory, including by combating fraudulent travel documents and, to the extent attainable, by enhancing terrorist screening and passenger security procedures?

The State of Qatar cooperates with the States of the Gulf Cooperation Council (GCC) through direct coordination and information exchange and with other States through information exchange. It also compiles lists of fraudulent travel documents and provides training for the personnel working at the country's entry and exit points, as well as technical resources.

Paragraph 3

1.4 What international efforts is Qatar participating in or considering participating in/initiating in order to enhance dialogue and broaden understanding among civilizations in an effort to prevent the indiscriminate targeting of different religions and cultures?

The State of Qatar organizes, hosts and participates in a number of conferences and meetings on inter-religious dialogue and the alliance of civilizations. It recently hosted the High-level Group for the Alliance of Civilizations in Doha during the period 25-27 February 2007, in addition to the Conference on Interre ligious Dialogue, which was launched by the State of Qatar in 2003 and has been convened periodically ever since, thereby affirming the State of Qatar's belief in dialogue as a means of rapprochement among peoples.

1.5 What steps is Qatar taking to counter incitement of terrorist acts motivated by extremism and intolerance and to prevent subversion of educational, cultural and religious institutions by terrorists and their supporters?

The State of Qatar pursues an open modern-day educational and cultural policy. The Supreme Education Council is responsible for implementation of the educational policy and oversees its application by educational institutions. The National Council for Culture, Arts and Heritage is similarly responsible for the sponsorship of literature, arts and culture. Through the competent religious institutions, the State is vigilant in ensuring that religious sermons remain moderate and reject any extremism or intolerance.

1.6 What is Qatar doing to ensure that any measures taken to implement paragraphs 1, 2 and 3 of resolution 1624 (2005) comply with all of its obligations under international law, in particular international human rights law, refugee law and humanitarian law?

On the basis of its commitment to assisting the international efforts to combat terrorism and its financing, the State of Qatar has adopted a number of legislative and regulatory procedures and measures aimed at guaranteeing that commitment under the norms of international law, in conformity with the rules and principles of international human rights law, refugee law and humanitarian law.

The Qatari Constitution guarantees freedom of opinion and publication and prohibits the extradition of political refugees. It also provides that there is no crime and no punishment without law (*nullum crimen, nulla poene sine lege*) and that the accused is innocent until proven guilty before a court of law in a trial in which he is assured of the necessary guarantees to exercise the right of defence.

The Counter-Terrorism Act No. 3 of 2004 defines terrorist crime and incitement to commit such crime, and the Code of Criminal Procedure No. 23 of 2004 likewise defines the conditions and procedures for extradition, which are consistent with the relevant international rules and principles. It also regulates investigation procedures under the authority of the Office of the Public Prosecutor, which is an independent judicial investigating authority.